

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MARIAN DOUGLAS,

Plaintiff,

v.

ASPEN MANAGEMENT USA, LLC,

Defendant.

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CASE NO. 2:19-cv-5568

CHIEF JUDGE ALGENON L. MARBLEY

MAGISTRATE JUDGE JOLSON

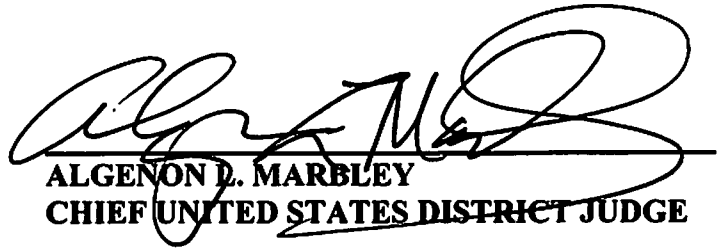
ORDER

This matter is before this Court on Plaintiff Marian Douglas' Motion for Leave to Appear by Telephone at the Settlement Conference. (ECF No. 45). Plaintiff requests to appear by telephone because she is employed at an accounting firm that will be experiencing the peak of the tax season at the time of the scheduled conference. (*Id.*). The conference is currently scheduled for March 17, 2022 at 9:30am. (*See* ECF No. 40-3 at 2–3).

Pursuant to its Scheduling Order, this Court requires trial counsel as well as the parties with settlement authority to be present at the settlement conference. (*Id.* at 3). Moreover, only “[u]pon written motion and for good cause shown, [may] the parties . . . satisfy the presence requirement by being available by telephone.” (*Id.*).

This Court does not find such good cause exists here. While tax season is no doubt a busy period for her employer, that alone, does not constitute the type of “exceptional circumstance” which would permit Ms. Douglas to appear telephonically. (*Id.* at 1). As the party with settlement authority, and the named plaintiff in this collective-action lawsuit, Ms. Douglas has a responsibility to appear at the settlement conference. Accordingly, Plaintiff's Motion is **DENIED**.

IT IS SO ORDERED.



ALGENON D. MARBLEY
CHIEF UNITED STATES DISTRICT JUDGE

DATED: February 16, 2022